

## REMARKS

This application has been carefully reviewed in light of the Office Action dated March 6, 2008. Claims 11-20 are presented for examination, of which Claims 11, 19 and 20 are in independent form. Favorable reconsideration is respectfully requested.

In the Office Action, Claims 11-14 and 18-20 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent Application 2002-0122194 (Kuwata et al.) in view of U.S. Patent 6,330,076 (Imaizumi et al.) further in view of U.S. Patent 6,198,553 (Yamamoto et al.), Claim 15, as being obvious from *Kuwata* in view of *Imaizumi* further in view of *Yamamoto* further in view of U.S. Patent 6,975,437 (Takemoto), and Claims 16 and 17, as being obvious from *Kuwata* in view of *Imaizumi* further in view of *Yamamoto* further in view of U.S. Patent 6,629,107 (Ouchi et al.).

As discussed in the specification, there are respective pros and cons for converting input image data into each output color space. Depending on the subject of the image, one output color space may be more appropriate than another. The present invention has been made to automatically select the color space suitable for the input image.

If the number of bits remains the same, the quality of the gradation deteriorates if a wider gamut is expressed. That is, if the number of bits is same, a trade-off relation is established between the gamut to be expressed and the gradation quality.

Moreover, Claim 11 recites, among other features, “determining whether or not input image data represents an image of a person as a subject of the image; selecting a color space conversion condition from among plural color space conversion conditions, including first and second color space conversion conditions, in accordance with the

determination result obtained in said determining step... wherein *a second color space corresponding to the second color space conversion condition* has a color gamut wider than a *first color space corresponding to the first color space conversion condition*, wherein, in a case where it is determined that the input image data represents the image of the person as the subject of the image, the first color space conversion condition is selected [emphasis added].”

Since human sight is very sensitive to gradation in image portions that show human skin, it is necessary to attach great importance to gradation quality when handling an image of a person. Consequently, the method of Claim 11 involves selecting a first color space conversion condition for an image that contains a person. According to this method, it is possible automatically to select the color space conversion condition suitable for an image of a person.

In particular, therefore, the combination of the recited “determining” and “selecting” steps has the significant advantage under the following conditions:

“wherein a second color space corresponding to the second color space conversion condition has a color gamut wider than a first color space corresponding to the first color space conversion condition,

wherein, in a case where it is determined that the input image data represents the image of the person as the subject of the image, the first color space conversion condition is selected, and

wherein the number of bits of the image data converted by using the first color space conversion condition is the same as the number of bits of the image data converted by using the second color space conversion condition.”

The Office Action states, and Applicant agrees, that determining the subject of the input image and selecting a color conversion condition to which a specific color space corresponds depending on the subject of the image are not disclosed in *Kuwata*.

Applicant submits that these features are not disclosed or taught in *Imaizumi*, either. An objective of *Imaizumi* is to provide an image processing apparatus for executing more suitable image compression processing of images having subtle changes of chromaticity and luminance. The system of *Imaizumi* includes a color space conversion process unit that “converts the standardized RGB image data (OR, OG, OB) to an XYZ colorimetric system, and thereafter converts said data to  $L^*a^*b^*$  colorimetric [*sic*] system data,” as recited in Column 10. Applicant notes that this process uses XYZ as the only output color space. The system of *Imaizumi* also includes a color space optimization process that subsequently “changes the distribution of luminance component  $L^*$ ... and changes the distributions of chromaticity components  $a^*$  and  $b^*$ ,” as recited in Column 11. Applicant notes further that this process is carried out within the same color space. As it turns out, nothing in *Imaizumi* is believed to disclose or teach the selection among color conversion conditions and their associated corresponding color spaces.

The portion of *Imaizumi* cited in the Office Action as disclosing the selection of the first color space as recited in Claim 11 describes one kind of color optimization process. As discussed above, it involves the change of distribution of the luminance and chromaticity components within the same XYZ color space with no selection among color conversion conditions and their corresponding color spaces.

Accordingly, for at least the reasons stated above, Claim 11 is believed to be patentable over *Kuwata* in view of *Imaizumi*.

Independent Claims 19 and 20 are apparatus and computer-readable medium claims, respectively, corresponding to method Claim 11, and are believed to be patentable for at least the same reasons discussed above in connection with Claim 11.


A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from independent Claim 11, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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